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July 16, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: CC94-102, ex parte communication

Dear Ms. Dortch:

John Melcher, President of the National Emergency Number Association ("NENA"), joined by NENA Interim Executive Director Jim Goerke and Technical Issues Director Roger Hixson and the undersigned, met today with Barry Ohlson, Chief of the Policy Division, Wireless Telecommunications Bureau, and members of his staff. In the meeting for a portion of the time were Bureau Chief Tom Sugrue and Deputy Bureau Chief Jim Schlichting.

A principal topic of discussion was the critical role played by local exchange carriers ("LECs"), as the typical supplier of 911 services to public safety authorities, in the implementation of wireless E9-1-1. The discussion included current and future means by which LECs recover costs of 911 services supplied to Public Safety Answering Points ("PSAPs"); the extent to which LECs are authorized, in their several states, to offer Phase II refinements of these services; and the regulatory interface between FCC authority over wireless 911 implementation and state public utility commission authority over rates, terms and conditions of LEC intrastate service. NENA representatives expressed concern that these and other open issues threatened to slow the pace of wireless E911 implementation.

Mr. Melcher noted that wireless E911 cannot become ubiquitous until the wire facilities essential to its offering, such as selective routing switches, are available throughout the country. He said that NENA would be introducing in early fall its vision of a means to make wire network

infrastructure more universally available, and thus to enable wireless E911 in less-populated areas.

Other topics of discussion included digital TTY compatibility of PSAP equipment and the need for clarification of the meaning of the “forward all calls” mandate in the FCC’s wireless 911 rules. While clarification requests are pending with respect to the identification of non-service initialized (“NSI”) phones and the treatment of harassing or abusive calls made from such phones, the issue also extends to the matter of “congestion control” when, for example, large numbers of wireless calls to 911 report the same emergent incident at the same time.

Finally, the NENA representatives expressed their concern that the development of E-OTD as a location capability for GSM networks seemed to have stalled and that predictions for its superior accuracy, relative to network location solutions, had retrenched. At the same time, at least two vendors now appear to support network location solutions for GSM systems. At some point, NENA said, the holders of GSM Phase II waivers must be called on their promises to look at alternative location solutions if their initial E-OTD choice is not viable under the applicable waiver deadlines.

Sincerely,

James R. Hobson
Counsel for NENA

cc: Tom Sugrue, Jim Schlichting, Barry Ohlson